

# S U M M A R Y   A C T I O N   M I N U T E S



## REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

*Tuesday, January 8, 2002, 9:30 A.M.*

BOARD HEARING ROOM, FIRST FLOOR  
10 Civic Center Plaza  
Santa Ana, California

**CYNTHIA P. COAD**  
CHAIR  
Fourth District

**JAMES W. SILVA**  
VICE CHAIR  
Second District

**CHARLES V. SMITH**  
SUPERVISOR  
First District

**TODD SPITZER**  
SUPERVISOR  
Third District

**THOMAS W. WILSON**  
SUPERVISOR  
Fifth District

ATTENDANCE: All Present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	Michael Schumacher
	COUNTY COUNSEL	Benjamin P. de Mayo
	CLERK OF THE BOARD	Darlene J. Bloom

INVOCATION: Supervisor Spitzer, Third District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Smith, First District, led the assembly in the Pledge of Allegiance

### **I. PRESENTATIONS/INTRODUCTIONS**

### **II. CONSENT CALENDAR (Items 1-3)**

53124 **APPROVED AS RECOMMENDED**

### **COMMENDATIONS/PROCLAMATIONS**

#### **Supervisor Spitzer:**

1. Adopt a resolution commending James Creech for his twenty-eight years of outstanding service to the County of Orange  
*RESO: 02-001*
2. Adopt a resolution commending Chief William C. Lentini for his thirty-one years of dedicated

# S U M M A R Y   A C T I O N   M I N U T E S

and committed service to Brea Police Department

*RESO: 02-002*

3. **Chair Coad** - Adopt resolution celebrating our home team, the Angels' new look by proclaiming January 9, 2002 as "Red Dawn" in Orange County  
*RESO: 02-003*

END OF CONSENT CALENDAR

# S U M M A R Y   A C T I O N   M I N U T E S

## III. DISCUSSION ITEMS (Items 4-6)

### GENERAL ADMINISTRATION

4.        **County Executive Office** - Adopt resolution approving Substance Abuse and Crime Prevention Act of 2000 Revised Plan for FY 2001-02, designating Health Care Agency as lead agency and making related findings - All Districts  
12354    **APPROVED AS RECOMMENDED**  
          *RESO: 02-004*
5.        **Registration/Elections** - Adopt and implement County Employee Volunteers as Election Day Poll Worker Program, effective 1/8/02; and authorize participation in program by non-represented County employees under same terms and conditions - All Districts  
35124    **APPROVED AS RECOMMENDED**
6.        **Board of Supervisors** - Election of Officers  
12354    **NOMINATED AND ELECTED SUPERVISOR COAD AS CHAIR AND SUPERVISOR WILSON AS VICE CHAIR**

## IV. PUBLIC HEARINGS (None)

## V. CLOSED SESSION (Item CS-1)

- CS-1.    **County Counsel** - CONFERENCE WITH LEGAL COUNSEL- PENDING LITIGATION: County Counsel requests a closed session to discuss with the Board of Supervisors the status of pending litigation pursuant to Government Code Section 54956.9(a). The case is: County of Orange v. Orange County Assessment Appeals Board No. 3, OCSC Case No. 00CC03385 - All Districts (Continued from 11/20/01, Item SCS2; 12/4/01, Item CS-1; 12/18/01, CS-1)
- B.O.     **HELD, THE CHAIR READ: THE BOARD OF SUPERVISORS DIRECTED COUNTY COUNSEL NOT TO APPEAL THE ORDER FILED IN SUPERIOR COURT ON DECEMBER 27, 2001. THE BOARD OF SUPERVISORS RECOMMENDS THE ASSESSOR IMMEDIATELY CEASE ITS PRACTICE OF UTILIZING THE "RECAPTURE" METHOD AS A VIOLATION OF PROPOSITIONS 13 & 8 FROM THIS POINT FORWARD. THE BOARD OF SUPERVISORS DIRECTS THE APPROPRIATE DEPARTMENTS I.E. THE ASSESSOR, TAX-COLLECTOR, AND/OR THE AUDITOR CONTROLLER TO FURNISH NOTICE TO ALL PROSPECTIVE TAXPAYERS WHO MAY BE AFFECTED BY THE RECAPTURE METHOD DURING THE STATUTE OF LIMITATIONS PERIOD (FOUR YEARS) IN ORDER TO PRESERVE THE CLAIM, IF ANY. NOTHING WITHIN THIS DIRECTIVE PROHIBITS THE ASSESSOR FROM DEFENDING THIS CASE IN THE APPELLATE COURT. IF THE ASSESSOR DECIDES TO HIRE OUTSIDE COUNSEL, COUNTY COUNSEL SHALL SUPERVISE, BUT SHALL NOT DIRECT, THE COURSE OF LITIGATION.**

# S U M M A R Y   A C T I O N   M I N U T E S

## VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

### PUBLIC COMMENTS:

Charles Griffin - Oral re: Comments regarding DEIR 582 and Code of Federal Regulations as it relates to airport restrictions

### BOARD COMMENTS:

Supervisor Spitzer - Oral re: Thanked County Employee Groups and staff that made the Election Day Poll Worker voting program possible.

### ADJOURNED: 11:14 A.M.

54123    Adjourned in memory of Diane Bettencourt

14235    Adjourned in memory of Janice Speas and Paul Lawrence Johnson

\*\*\* KEY \*\*\*

#### *Left Margin Notes*

- 1. v Supervisor Smith
- 2. v Supervisor Silva
- 3. v Supervisor Spitzer
- 4. v Chair Coad
- 5. v Supervisor Wilson

- A. v Abstained
- X. v Excused
- N. v No
- BOv Board Order

#### *Right Margin Notes*

- O. v Ordinance
- R. v Resolution

*Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)*

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*CYNTHIA P. COAD, CHAIR*  
*Orange County Board of Supervisors*

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*DARLENE J. BLOOM*  
*Orange County Clerk of the Board*